(32)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI S.R. NAYAK, CJ
& HON'BLE SHRI V.K. SHRIVASTAVA, J.

W.P. No. 622 of 2002

PETITIONER

Balco Officers Association
Through its President Shri S.S. Baghel
Balconagar, Distt. Korba (C.G.)

VERSUS

RESPONDENTS

1. Union of India
Through the Secretary, Central Board of Direct Taxes, North Block New Delhi.

2. Bharat Aluminium Co. Ltd.
Through its Managing Director
Balconagar, Distt. Korba (C.G.)

Present : Shri P.S. Koshy, learned counsel for the petitioner.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondent No.1.
Shri Prashant Jayaswal, learned Sr. Advocate with Shri Sankalp Jaiswal, learned counsel for respondent No.2.

W.P. No. 2685 of 2001

PETITIONERS

1. Coal Mines officers association of India, through Sri R.N. Mukhopadhaya, President, S.E.C.L. Branch, Bilaspur
2. Shri R.N. Mukhopadhyay S/o. Late Shri G.P. Mukhopadhyay, Legal Manager, S.E.C.L. Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. Union of India, Through Central Board of Direct Taxes, North Block, New Delhi
2. Coal India Limited, Through Chairman, 10 Netaji Subhash Road, Kolkata
3. South Eastern Coalfields Limited through Chairm-cum-Managing Director, Seepat Road, Bilaspur (Chhattisgarh)

Present : Shri Sanjay K. Agrawal, learned counsel for the petitioners.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondent No. 1.

W.P. No. 717 of 2002

PETITIONERS

1. N.M.D.C. Officers Association
Through : Its Executive Member
Sri K.P. Vijayan, S/o KP Parameshwaran Pillai aged about 58 years, R/o Quarter Type 3/115, BIOP Deposit No. 5 Bacheli,

Distt. Dantewada, Chhattisgarh

2. S K M S, Through Its Executive Member Sri T J Shankar Rao B I O P Deposit No.5 Bacheli, Distt. Dantewada, Chhattisgarh
3. M M W U, (Metal Mines Workers Union) Through : Its Executive Member J K Shrivastava, BIOP Deposit No.5, Bacheli Distt. Dantewada, Chhattisgarh

VERSUS

RESPONDENTS

1. Union of India Through : Joint Secretary, Govt of India Ministry of Finance, Deptt. of Revenue, North Block New Delhi
2. Central Board of Direct Taxes, Through Its Chairman North Block New Delhi
3. Commissioner, Income Tax, Raipur
4. The Chairman, National Mineral Development Corporation Ltd. 10-3-311/A Castle Hills Masab Tank Hyderabad

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Present : Shri P.S. Koshy, learned counsel for the petitioners.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondents No. 1 & 2.

W.P. No.604 of 2002

PETITIONERS

1. Rashtriya Taap Vidyut Karmachari Sangh, Reg. No. 2832 through its General Secretary Mohammad Rizwan, S/o Late Fakir Mohmmad, aged about 48 years, R/o B-1365, Krishna Vihar, N.T.P.C. Jamnipali, Korba, Tahsil & District Korba (C.G.)
2. V.C. Ottalwar, S/o Shri C.M. Ottalwar, aged 58 years, President, Rashtriya Taap Vidyut Karmachari Sangh, Korba, R/o Tilak Nagar, Bilaspur (C.G.)

VERSUS

RESPONDENTS

1. Union of India Through its Secretary, Ministry of Finance, New Delhi-110001
2. Central Board of Direct Taxes, Government of India, Ministry of Finance, Department of Revenue, New Delhi through its Secretary
3. National Thermal Power Corporation of India, N.T.P.C. Bhawan, Scope Complex, Lodhi Road, New Delhi – 110 033
4. Joint Secretary, Department of Public Enterprises, Government of India, C.G.O. Complex, Lodhi Road, New Delhi.

Present : Shri V.C. Ottalwar, learned counsel for the petitioners.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondents No. 1,2 and 4.
Shri P.S. Koshy, learned counsel for respondent No.3.

W.P. No.633 of 2002

PETITIONER

Steel Workers Union (INTUC), Reg. No. 231 through its General Secretary Gajendra Singh, S/o Late Shri S.N. Singh, aged about 56 years, R/o Q.No. 3-A, Street 13, Sector 6, Bhilai District – Durg (C.G.)

VERSUS

RESPONDENTS

1. Union of India
   Through its Secretary, Ministry of Finance, New Delhi-110001
2. Central Board of Direct Taxes,
   Government of India, Ministry of Finance, Department of Revenue, New Delhi through its Secretary
3. Chairman, Steel Authority of India Limited, Ispat Bhawan, Lodhi Road, New Delhi 110003
4. Managing Director, Bhilai Steel Plant, Bhilai District Durg (C.G.)

Present : Shri V.C. Ottalwar, learned counsel for the petitioner.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondents No. 1,2 and 4.

W.P. No.675 of 2002

PETITIONERS

1. N.M.D.C. Officers Association
   Through : Its Secretary, Sri Kapil Thapar, S/o Sri A M Thapar, aged about 42 years BIOP Deposit No. 14, Kirandul, Distt. Dantewada, Chhattisgarh
2. N M D C Supervisors Association Through Its President Sri I D Mishra, S/o Late Sri R N Mishra, Deposit No.14 Kirandul, Distt. Dantewada, Chhattisgarh
3. Metal Mine Workers Union (INTUC)
   Through : Its Secretary, Sri Sukoo Ram Kashyap S/o Late Nadi Ram aged about 48 years, Deposit No.14 Kirandul, Distt. Dantewada, Chhattisgarh
4. Samyukta Khadan Mazdoor Sangh (AITUC) NMDC Deposit No.14 Kirandul, Distt. Dantewada, Chhattisgarh. Through : its General Secretary Sri R D C P Rao

VERSUS

RESPONDENTS

1. Union of India
   Through : Joint Secretary, Govt of India Ministry of Finance, Deptt. of Revenue, North Block New Delhi
2. Central Board of Direct Taxes,
   Through : Its Chairman
   North Block New Delhi
3. Commissioner, Income Tax, Raipur - Chhattisgarh
4. The Chairman, National Mineral

Development Corporation Ltd. 10-3-311/A
Castle Hills Masab Tank Hyderabad.

Present : Shri P.S. Koshy, learned counsel for the petitioners.
Shri Amit Chaudhari, learned Standing Counsel for Union of India/respondents No. 1 & 2.

ORAL ORDER
(Passed on 15th November, 2006)

The following oral order of the Court was passed by

S.R. NAYAK, CJ .

Learned counsel appearing for all the parties would submit that the point that arises for decision-making in this batch of writ petitions is squarely covered by the decision of the Hon'ble Supreme Court in the case of **Aurn Kumar & Others Vs. Union of India & Ors.**[1]. In view of the above joint submission made by learned counsel appearing for the parties, these writ petitions are disposed of in terms of the above judgment of the Hon'ble Supreme Court. No costs.

Sd/-
Chief Justice

Sd/-
Vijay Kumar Shrivastava
Judge

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1. JT 2006(12) SC 121

Subbu